

Article - Public Utilities

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§5–407.

(a) A railroad company and the municipal corporation, public officer, or public authority that owns or has control of any road, street, alley, or other public way or ground necessary to locate any part of the railroad may agree on the manner, terms, and conditions allowing the railroad company to use or occupy the road, street, alley, or other public way or ground.

(b) If the parties are unable to agree and the railroad company needs to use or occupy the road, street, alley, or other public way or ground, the railroad company may acquire the property by condemnation in accordance with Title 12 of the Real Property Article.

(c) (1) A railroad company that lays track on any public street, road, alley, or other public way or ground is responsible for any damage done by the location of the track to private property on or near the public way or ground.

(2) The owner of the private property shall bring a civil action for damages under this subsection within 2 years after the completion of the track.

(d) A railroad company may not pass through Baltimore City without the consent of the Mayor and City Council.

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